

REMARKS

Claims 1, 6, 7 and 9-25 are pending in this application. By this Amendment, claims 1, 6 and 9 have been amended and claims 2-5 and 8 have been canceled without prejudice to or disclaimer of the subject matter contained therein.

A Restriction/Election of Species Requirement was required in this application. Accordingly, Applicant elected Group I, claims 1-16 and Species I, Figs. 1-6, claims 1-10. By this Amendment, Applicant amends claims 1, 6 and 9 and asserts that the features of the amended claims are supported by Figs. 1-6. Applicant also asserts that claim 1 remains generic to claims 11-16 and thus requests rejoinder of claims 11-16 if claim 1 is deemed allowable because claims 11-16 would be allowable for the same reason that claim 1 would be allowable.

Applicant also respectfully traverses the Restriction/Election of Species Requirement. As argued, the Examiner asserts that the claims do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the claims lack the same or corresponding special technical features. Applicant respectfully traverses this assertion.

Applicant asserts that the claims do relate to a single general inventive concept under PCT Rule 13.1 because all of the claims relate to overlapping cords. As such, all of the claims have a corresponding special technical feature (i.e., overlapping cords). As such, Applicant asserts that the claims should be examined because an undue burden is not being placed on the Examiner to review all of the claims. It is respectfully requested that the Restriction/Election of Species Requirement be withdrawn.

Applicant filed an Information Disclosure Statement on October 22, 2002 citing seven references, of which five of the references were previously cited in a March 28, 2002 Information Disclosure Statement. The references cited in the March 28, 2002 Information Disclosure Statement have been considered as evidenced by an initialed Form PTO-1449.

However, the two remaining references in the October 22, 2002 Information Disclosure Statement, EP 1116644A1 and DE 19844309A1, have not been considered. It is respectfully requested that the two remaining references, EP 1116644A1 and DE 19844309A1, be considered and that an initialed PTO Form-1449 be returned to Applicant's representative indicating consideration of the two references. Applicant also notes that GB 2330810 corresponds to DE 19844309A1 as noted in the foreign search report.

The drawings were objected to due to an informality. The objection has been rendered moot by the cancellation of claims 3-5. It is respectfully requested that the objection be withdrawn.

The specification was objected to due to various informalities. With regard to claims 3-5, this objection has been rendered moot by the cancellation of claims 3-5. With regard to claim 7 and 9, Applicant asserts that the biased sheets can be found in Figs. 21-24. It is respectfully requested that the objection be withdrawn.

Claims 1-10 were objected to due to various informalities. With regard to claim 1, Applicant asserts that this claim has been clarified by the amendment to claim 1. In particular, Applicant asserts that the use of "both ends of each cord overlap along a longitudinal direction of the crawler body, as seen from the belt side" is clear. Applicant also asserts that the objection of claims 2-5 and 8 has been rendered moot by the cancellation of the claims. Applicants also assert that the use of "substantially" in claim 6 is acceptable because the use of "substantially" is definite in view of MPEP 2173.05(b). It is respectfully requested that the objection be withdrawn.

Claims 1-6, 8 and 10 were rejected under 35 U.S.C. §102(b) over JP 6-1271 (JP'271). The rejection of the remaining claims is respectfully traversed.

JP' 271 fails to disclose an elastic endless crawler wherein every end of the cords is located behind at least one of the driven protrusions and is located behind at least one of the

lugs, the interval is at least twice as large as a cord diameter when the cord diameter is less than a predetermined value, the interval is at least one and a half times as large as the cord diameter when the cord diameter is at least the predetermined value and substantially every cord has a regularity in that one end of the cord is offset in a direction orthogonal to the crawler body longitudinal direction with respect to the other end of a same cord by substantially half the interval, as recited in claim 1.

JP '271 discloses a rubber crawler that is formed of core metals 2 embedded at a constant pitch in a rubber elastic body 1 with steel cords 3 enclosing the core metals 2. As shown in Figs. 3-5, the steel cords 3 are held between two hard plates 6, 7, and the hard plates 6, 7 and the steel cords 3 are integrally bonded with adhesive.

However, as shown in Figs. 1-11 and the abstract for JP '271, JP '271 fails to provide any disclosure with regard to the interval of the steel cords 3. In particular, JP '271 fails to disclose that the interval is at least twice as large as a cord diameter when the cord diameter is less than a predetermined value and that the interval is at least one and a half times as large as the cord diameter when the cord diameter is at least the predetermined value. Furthermore, as shown in Figs. 1-11 of JP '271, a top steel cord 3 is placed directly over a bottom steel cord 3. As such, JP '271 fails to disclose that substantially every cord has a regularity in that one end of the cord is offset in a direction orthogonal to the crawler body longitudinal direction with respect to the other end of a same cord by substantially half the interval as recited in claim 1.

Accordingly, JP '271 fails to disclose all the features recited in Applicants claim 1. In addition, claims 6 and 10 recite additionally features of the invention and are also believed to be allowable at least for the reasons discussed above with respect to claim 1 and for the additional features recited therein. It is respectfully requested that the rejection be withdrawn.

Claims 1, 2, 6, 8 and 10 were rejected under 35 U.S.C. §102(b) over JP 11-300846 (JP '846). The rejection of the remaining claims is respectfully traversed.

JP '846 fails to disclose an elastic endless crawler wherein every end of the cord is located behind at least one of the driven protrusions and is located behind at least one of the lugs, the interval is at least twice as large as a cord diameter when the cord diameter is less than a predetermined value, the interval is at least one and a half times as large as the cord diameter when the cord diameter is at least the predetermined value and substantially every cord has a regularity in that one end of the cord is offset in a direction orthogonal to the crawler body longitudinal direction with respect to the other end of a same cord by substantially half the interval as recited in claim 1.

JP '846 discloses a crawler free from a metal core. Driven projections are bonded to the inner surface of the annular body 4 at a constant pitch and the rubber lug is also bonded to the outer surface of the annular body 4 (Abstract). However, JP '846 fails to provide any disclosure with regard to cords that are disposed at predetermined intervals or the offsetting of cords as recited in claim 1.

Accordingly, JP '846 fails to disclose all of the features recited in Applicant's claim 1. In addition, claims 6 and 10 recites additional features of the invention and are also believed to be allowable at least for the reasons discussed above with respect to claim 1 and for the additional features recited therein. It is respectfully requested that the rejection be withdrawn.

Claims 7 and 9 were rejected under 35 U.S.C. §103(a) over JP '271 in view of Paul. Applicant first notes that Paul has not been identified in the Office Action nor has Paul been identified on a Form PTO-892 or a Form PTO-1449. After repeated attempts to contact the Examiner, Applicants representative were unable to contact the Examiner and to identify Paul. As such, Applicants assert that the rejection is improper because Paul has not been properly identified. Applicants also asserts that because Paul has been properly identified, Paul fails to overcome the deficiencies of JP '271 disclosing all of the features recited in Applicants claim 1. It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Scott M. Schulte
Registration No. 44,325

JAO:SMS/sxb

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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